

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

WP(C).No. 34100 of 2007(H)

PETITIONER:

POULOSE, S/O. THOMAS,
THONNAMATTATHIL HOUSE, MATTAKUZH, VARIKOLI P.O.

BY ADV. SRI.BABU CHERUKARA

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY DISTRICT COLLECTOR, ERNAKULAM.
2. STATE OF KERALA,
REPRESENTED BY SPECIAL TAHSILDAR (LA), KOCHI,
REFINERS LTD., THRIPUHNITHURA, ERNAKULAM.
3. MANAGING DIRECTOR,
KOCHI REFINERIES LTD., AMBALAMUGHAL, ERNAKULAM.
4. TRUSTEE ST.MARY'S JACOBITE SYRIYAN
CHURCH, VARIKOLI P.O., ERNAKULAM.

R1 & 2 BY GOVT. PLEADER SMT. R. BINDU
R3 BY SC SHRI. A.M. SHAFFIQUE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

M.N.KRISHNAN, J

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W.P.(C) No.34100 OF 2007

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Dated this the 20th day of November 2007

JUDGMENT

This writ petition is filed for a direction to the Sub Court, Muvattupuzha to consider and dispose of the claims of A and B claimants in LAR No.97/2004. Properties of 3 claimants were acquired , i.e. 21.4 ares of A claimant, 20.33 ares of B claimant and 1.02 ares of C claimant. These were all for the purpose of one project and the acquisition had been from one Sy.No.111/3. The grievance of the petitioner herein is that on account of some dispute regarding the administrative power so far as it relates to C claimant they are not getting ready with the matter and it has resulted in delay of the proceedings. Or, in other words, for no fault of A claimant or B claimant, the matter is pending before the Sub Court. When the matter is referred as one reference it has to be answered as one reference. The only way out to the Land Acquisition Court is to determine the compensation and if there is inter se dispute between the authorities with respect to the property of C claimant to decide the compensation and direct the parties to withdraw the amount subject to the final adjudication of their right by a

competent civil court.

Therefore, the court below is directed to bestow its best attention and find out what can be done for a speedy disposal of the case.

Writ petition is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-